



JUSTICE

Vol.39 **ACTUALITÉS - REPORT** No.4

CANADIAN CRIMINAL JUSTICE ASSOCIATION - ASSOCIATION CANADIENNE DE JUSTICE PÉNALE

GENERAL TOPICS
SUJETS GÉNÉRAUX

CONGRESS RECAP
RETOUR SUR LE CONGRÈS



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The JUSTICE REPORT contains information of value to Association readers and the public interested in matters related to the administration of justice in Canada. Opinions expressed in this publication do not necessarily reflect the Association's views, but are included to encourage reflection and action on the criminal justice system throughout Canada.

For more information on the activities of the CCJA, please contact:

L'ACTUALITÉS JUSTICE renferme des renseignements utiles aux lecteurs de l'Association et au public qui s'intéressent aux questions relatives à l'administration de la justice au Canada. Les opinions qui sont exprimées ne reflètent pas nécessairement les vues de l'Association, mais y figurent afin d'encourager à réfléchir et à agir sur la justice pénale dans tout le Canada.

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**CANADIAN CRIMINAL JUSTICE ASSOCIATION
ASSOCIATION CANADIENNE DE JUSTICE PÉNALE**

P • 101-320, av. Parkdale Ave., Ottawa, Ontario, Canada K1Y 4X9
T • 613 725.3715 | F • 613 725.3720 | E • ccja-acjp@rogers.com
ccja-acjp.ca

**NANCY WRIGHT, EDITOR-IN-CHIEF SINCE 2012.
NANCY WRIGHT, RÉDACTRICE EN CHEF DEPUIS 2012.**
E • ccjapubsacjp@gmail.com

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JUSTICE

Vol.39 **ACTUALITÉS - REPORT** No.4

EDITORIAL - ÉDITORIAL • P4

By - Par Irving Kulik

.....

CONGRESS RECAP

A Student's Eye View of CCJA's 39th Biennial Congress on Criminal Justice: Banff 2024! • P6

By Miranda Henderson
Résumé français • P19

.....

GENERAL TOPICS

The Virtuous Briefing Circle: A Safety Net for Those Who Protect • P20

By Christine Welsh and Bob Chrismas
Résumé français • P23

Writing for Justice: Envisioning a World Beyond Incarceration Through Prisoner Correspondence • P24

By Stephanie Latty and Naomi Berlyne
Résumé français • P25

.....

A Treatment-First Approach to Prison Reform • P26

By Jim Dodge and Dave Redemske
Résumé français • P28

.....

YOUNG RESEARCHER CONTRIBUTIONS

Inside the Walls: Situational Crime Prevention and its Theoretical Application to the Canadian Correctional System • P29

By Megan Davidson
Résumé français • P32

From Prevention to Reintegration: The Social and Economic Imperative of Closing Educational Gaps in Canada from a Criminological Standpoint • P34

By Martin Spielauer
Résumé français • P37

.....

INTERNATIONAL CONTRIBUTIONS

Overview of the Need for Special (Drug) Courts in India • P38

By Prof. Dr. Purvi Pokhriyal, Mr. Akhilendra Singh, and Ms. Mradul Singh

Résumé français • P40

.....

COMING EVENTS - PROCHAINES ÉVÉNEMENTS • P41



EDITORIAL

IRVING KULIK

CCJA EXECUTIVE DIRECTOR

In October we had the opportunity to present the 39th Congress on Criminal Justice in Banff, Alberta. For myself, it was a privilege to organize this, my 10th Congress. It is of course also a challenge to not only maintain the quality of our biennial national conference, but to improve it each and every time. In terms of content, the evaluations we received mark this conference as one of our best ever. The site (Banff National Centre for Arts and Creativity) was outstanding and hopefully, attendees were not too distracted by the families of elk grazing and walking about their home. It made getting to and from the facilities an unexpected-but-superb joy.

This issue of the *Justice Report* features a wonderful overview by Mount Royal University student (Class of 2024) Miranda Henderson, who volunteered to assist at the Congress. Offering *A Student's Eye View of CCJA's 39th Biennial Congress on Criminal Justice: Banff 2024!*, she describes the plenary presentations and a good many of the simultaneous sessions, which all attendees could obviously not attend. The brief descriptions in her article are enlightening and indicate if the presentation is available on our website (most are): www.ccja-acjp.ca.

The winner of our Crime Prevention award at Congress, Dr. Robert Chrismas, has contributed an article in this issue. Written with Christine Welch, *Virtuous Briefing Circle...* describes the importance of building and integrating a safety net for the members of Winnipeg's Community Safety Team.

You will also find two articles contributed by Young Researchers. Martin Spielauer's *From Prevention to Reintegration...* highlights the limited resources invested in educational programs for Canadian prisoners. Martin, studying economics and political science at the University of Ottawa, points out several research projects demonstrating the value of education in decreasing recidivism, especially for the growing population of incarcerated Indigenous offenders. Megan Davidson, drawing on her 2023 honour's thesis at Mount Royal University, describes the relationship of space and building design with crime prevention in *Inside the Walls: Situational Crime Prevention....*

In other words, space and environmental factors impact our psychological, social and emotional being. Similarly, *A Treatment-First Approach to Prison Reform* by Jim Dodge and Dave Redemske (who presented at Congress 2024) also discusses the importance of prison design in potential treatment outcomes.

In *Writing for Justice*, Stephanie Latty and Naomi Berlyne describe the goals of the volunteer group Write On! in reducing the isolation of prisoners through correspondence with volunteers.

Finally, for a somewhat surprising perspective on the treatment of addiction in relation to crime in India, please see *Overview of the Need for Special (Drug) Courts in India* contributed by Dr. Purvi Pokhriyal, Akhilendra Singh, and Mradul Singh.

As I write this, almost at the end of 2024 and the eve of the new year, I wish you all a healthy, safe and happy new year.



ÉDITORIAL

IRVING KULIK

DIRECTEUR GÉNÉRAL DE l'ACJP

En octobre, nous avons eu le privilège de présenter le 39^e Congrès sur la justice pénale à Banff, Alberta. Ce fut pour moi une fierté d'organiser mon 10^e Congrès, un défi qui consiste non seulement à maintenir la qualité de cette conférence nationale bisannuelle, mais aussi à améliorer chaque édition. Les évaluations reçues marquent ce congrès comme l'un de nos meilleurs, tant pour son contenu que pour son emplacement exceptionnel. Le *Banff National Centre for Arts and Creativity*, où les familles de wapitis se promènent librement, a offert une expérience unique et mémorable aux participants.

Dans ce numéro de l'*Actualités Justice*, Miranda Henderson, étudiante à l'Université Mount Royal (cohorte de 2024) et bénévole pour l'*Actualités Justice* lors du Congrès, propose une perspective étudiante sur l'événement. Son article—*A Student's Eye View of CCJA's 39th Biennial Congress on Criminal Justice: Banff 2024!*—présente un résumé des présentations plénières et donne un aperçu des sessions simultanées, auxquelles les participants ne pouvaient évidemment pas toutes assister. Ses brèves descriptions sont éclairantes, et de nombreuses présentations sont partagées sur notre site web à: www.ccja-acjp.ca.

Le Dr. Robert Chrismas, lauréat du Prix de prévention du crime au Congrès, et Christine Welch, décrivent l'importance de créer un réseau de sécurité pour les membres de l'équipe de sécurité communautaire de Winnipeg dans leur article, *Virtuous Briefing Circle...*

Deux jeunes chercheurs apportent des perspectives originales. Martin Spielauer, étudiant en science économique et science politique à l'Université d'Ottawa, explore, dans *De la prévention à la réintégration...*, les faibles investissements dans les programmes éducatifs pour les prisonniers canadiens, tout en soulignant leur importance pour réduire la récidive, en particulier chez les détenus autochtones. Megan Davidson, dans *Inside the Walls: Situational Crime Prevention...*, examine l'impact de la conception des espaces sur la prévention du crime, en mettant en lumière leurs influences psychologiques et sociales.

En d'autres termes, l'espace et les facteurs environnementaux influencent notre bien-être psychologique, social et émotionnel. De même, *A Treatment-First Approach to Prison Reform* par Jim Dodge et Dave Redemske (qui ont présenté au Congrès 2024) aborde également l'importance de la conception des prisons pour les résultats potentiels des programmes de traitement en prison.

Dans *Writing for Justice*, Stephanie Latty et Naomi Berlyne décrivent comment le groupe bénévole Write On! réduit l'isolement des prisonniers grâce à la correspondance.

Enfin, une perspective internationale est offerte par Dr Purvi Pokhriyal, Akhilendra Singh et Mradul Singh dans leur article *Overview of the Need for Special (Drug) Courts in India*, qui explore le lien entre la dépendance et la criminalité et offre un aperçu du besoin de tribunaux spéciaux (pour les drogues) en Inde. Comme toujours, chaque article est suivi d'un résumé en français.

Alors que nous approchons la fin de 2024, je vous souhaite à tous une année nouvelle en santé, en sécurité et heureuse.



RECAP OF THE CANADIAN CRIMINAL JUSTICE ASSOCIATION'S 39TH BIENNIAL CONGRESS: PURSUING RECONCILIATION IN THE CANADIAN CRIMINAL JUSTICE SYSTEM

A STUDENT'S EYE VIEW OF CCJA'S 39TH BIENNIAL CONGRESS ON CRIMINAL JUSTICE: BANFF 2024!

MIRANDA HENDERSON¹

BA in Criminal Justice

Mount Royal University (Class of 2024)

The 39th Canadian Criminal Justice Association (CCJA) conference was an amazing event to experience as a first-time conference attendee and student volunteer. The conference theme, keynotes, sessions, speakers/events, and roundtables mainly focused on pursuing reconciliation in the criminal justice system. The amazing plenaries included chiefs of police, university professors, honourable justices and the Minister of Public Safety and Emergency Services covering a multitude of topics: First Nations police services, 9 years of progress with respect to the Truth and Reconciliation Commission Calls to Action, Indigenous over-representation, a scientific youth-justice approach to reducing violent crime, and more.

The concurrent session presentations also covered a range of topics including (but not limited to) courts, Restorative Justice (RJ) peacemaker programs, human trafficking, Correctional Service of Canada (CSC) partnerships for Indigenous communities, the Mental Health Commission's Action Plan, Built environments, AI, helping victims, traditional healing practices, overrepresentation of Black people in the justice system, overrepresentation of Indigenous people in the justice system, restorative justice approaches, alternatives to incarceration, prison reform, policing, elderly prisoners during and post incarceration, lived experience, peer support, community safety, and trauma/mental health/addiction.

The Canadian Criminal Justice Association and co-host Alberta Criminal Justice Association, as well as the conference's sponsors and all presenters deserve an immense amount of credit for making the conference such a spectacular event. I was also touched by all the attendees' friendliness and consideration, including CCJA staff and board members. During the Wellness Breaks between sessions, people were very open to striking up conversations about presentations they had attended, their own fields, and many other topics. The excellent way Sherry Sims organized the event aided in facilitating such conversations, with names and workplaces on our nametags making it easier to initiate conversations, and the interspersal of breaks giving attendees a chance to digest information, as well as some delicious snacks, before attending the next session. These breaks also gave everyone the opportunity to check out the *Justice Report*, sponsor's tables, the Wellness room and student posters.

While attendees were able to enjoy all the keynotes and roundtables, most of the conference sessions were concurrent. This made it impossible for me to attend them all, even though I would have liked to; Nancy Wright (Editor-in-Chief of the *Justice Report* helped me gather information and photos for some of the sessions). This CCJA Congress Recap first recounts the ceremonies, keynotes, roundtables, and banquet, while the second part lists all the Concurrent Sessions and offers a brief summary for many of them. Most of the presentations from the Concurrent Sessions are available on the CCJA website: www.ccja-acjp.ca.

¹. The author would like to acknowledge the support of *Justice Report* Editor-In-Chief Nancy Wright for her input and support.

OPENING CEREMONY, KEYNOTES, ROUNDTABLES, DAY ONE—OCTOBER 6

The Congress Opening Ceremony got underway with CCJA Executive Director Irving Kulik speaking in the spirit of respect, reciprocity, and truth to honour and acknowledge that Banff is located on traditional Treaty 7 territory. These sacred lands are a gathering place for the Niitsitapi from the Blackfoot Confederacy, of whom the Siksika, Kainai, and Piikani First Nations are part; the Îyârhe Nakoda of the Chiniki, Bearspaw, and Goodstoney First Nations; the Tsuut’ina First Nation; the Métis Nation of Alberta, and many others. Irving Kulik and Minister of Justice and Attorney General of Canada, the Honourable Arif Virani MP (by video), welcomed everyone to the Congress, and an Elder performed a smudge ceremony.

CHIEFS OF POLICE KEYNOTE ROUNDTABLE ON SOCIAL POLICY ISSUES

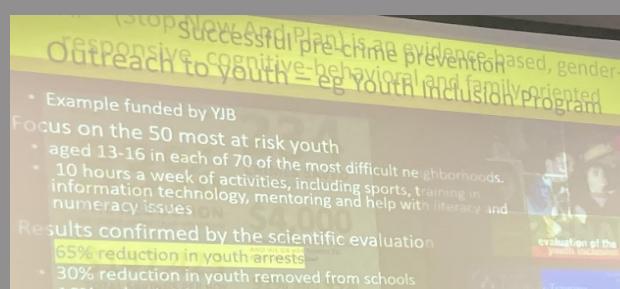


Chief Mark Neufeld (Calgary Police Service Chief), Shahin Mehdizadeh (Lethbridge Police Service), Chief Keith Blake (Tsuut’ina Nation Police Service) and Superintendent Kimberly Mueller (R.C.M.P.) explored many challenges facing police departments in Canada, including negative public perception of policing, finding a balance between strict law enforcement and compassion/understanding when it comes to dealing with the complex issues of homelessness and mental health/addiction, for example, and how this has impacted the ability of police services to recruit and retain new members. Panel members expressed the need for community engagement (especially by/for youth), enhanced diversity amongst frontline workers and researchers, and crime prevention initiatives that involve outside agencies for the diversion of those with mental health issues away from the criminal justice system and toward appropriate community supports.

PROFESSOR IRVIN WALLER (UNIVERSITY OF OTTAWA)—REDUCING VIOLENT CRIME BY 50% WITHIN FIVE YEARS: CREATING CHANGE USING SCIENCE AND SUCCESS



Emphasizing that “what gets measured gets treasured”, Professor Irvin Waller (2019)—prize winning champion of victim’s rights, author and international consultant on violence prevention, among other accolades—presented results/statistics from programs focusing on violent crime prevention through youth engagement within and beyond Canada. Waller (2019) highlighted UK crime prevention (related to violent crime) that generated a 65% reduction in youth arrests and a 30% reduction in youth removed from schools (see <https://yjresourcehub.uk/>). It’s not enough, says Waller, to simply focus on punishing the relatively small group of youth responsible for the majority of offences; we must offer (and adequately fund/staff/monitor) holistic support (e.g., activities, programs helping with emotional regulation) that can keep such youth off offending pathways and prevent offences before they occur. Waller offers practical strategies for adopting evidence-based prevention for vulnerable youth and reducing violent crime by 50% in just five years. This presentation is available on the CCJA website (www.ccja-acjp.ca). For more, refer to Waller’s 2019 book: *Science and Secrets of Ending Violent Crime*.



KEYNOTES AND ROUNDTABLES DAY TWO—TUESDAY, OCTOBER 8

KEYNOTE—RECONCILIATION: 9 YEARS OF PROGRESS THE HONOURABLE LEONARD MARCHAND (CHIEF JUSTICE OF BRITISH COLUMBIA)



Opening up day two, the Chief Justice of British Columbia, the Honourable Leonard Marchand, looked back at the progress made and the difficulties encountered in enacting the Truth and Reconciliation Commission (TRC) 94 "Calls to Action" since releasing its final report in 2013. He elaborated on how the Commission (which heard testimony from more than 6,500 witnesses across Canada) came to be, and created an accurate historical record of the Residential School System and the generational harm it set in motion. Tying the Residential School era to his own past (with his father starting Residential School in grade 7), Marchand discussed his helping residential school survivors with civil suits against the government before the 2005 Pan-Canadian Indian Residential School Settlement (from which the TRC was created). Most of the TRC Calls (18) involve the legal system, and major legislative changes are laying the groundwork for some of them, including laws to ensure that vulnerable Indigenous children stay

in Indigenous families/communities (Bill C-92), requiring lawyers to be educated about Indigenous issues, and ensuring funding alternatives to prison for Indigenous peoples. However, more work needs to be done to complete other calls highlighted by Chief Justice Marchand, such as removing barriers to healing lodges, addressing funding discrepancies between federal and community-run facilities, and effectively addressing Indigenous overrepresentation in the justice system. As Marchand points out, while it is important to be optimistic and see the glass half full, we must also recognize the missing half and do more to fill it; time and sustained effort are key.

INDIGENOUS JUSTICE KEYNOTE ROUNDTABLE



The Honourable Justice Leonard Marchand
(Chief Justice of British Columbia)
The Honourable Justice Johanna Price
(Court of King's Bench of Alberta)
The Honourable Michelle R. Brass
(Saskatchewan Provincial Court)
The Honourable Justice K.A. Crowshoe (Alberta Court of Justice)

The Justices gave insight into what inspired them to enter the legal field, their thoughts on how to address Indigenous overrepresentation in the justice system, and how to improve the justice system for people in conflict with the law as well as victims. They emphasized the importance of referring offenders to specialized courts when possible (e.g., restorative justice courts, mental health courts, drug treatment courts). They also encouraged the use of alternative (ex. restorative) justice strategies in the traditional system—for example, involving Elders and a healing plan, utilizing Gladue reports/factors, and implementing culturally appropriate court procedures (ex. being allowed to take oaths on an eagle feather, smudging, etc.). Increasing the number of offenders who can access these important resources (including non-Indigenous offenders, who they suggested would also benefit from Indigenous justice strategies) and having judges come together to refresh each other, were also highlighted as being incredibly important. The sentiment of this panel overall was that compassion, respect and understanding are critical when working with people in conflict with the law, especially given the major negative impact of a conviction/arrest on a person's life. Few people are beyond help, most have struggles that require compassion, respect, appropriate support, and understanding to overcome.

CONGRESS BANQUET AND ENTERTAINMENT • CCJA AWARDS • ACTUALITÉS JUSTICE REPORT



Brown Bear Women Events, a family owned business, offers a variety of events to entertain and educate by showcasing Indigenous history, traditions, and culture. Their amazing performance capped off the end of day two of the conference. The dances were paired with stories about the cultural significance of the dances (and jokes) performed beautifully alongside drumming/singing.

brownbearwoman.ca



Canadian Criminal Justice Association (CCJA) Executive Director Irving Kulik (left) with various Board Members: John Scoville (also Vice-President; N.L.), Ryan Baird (also Treasurer, ON), Nick Cutler (also President; NB), Peter Copple (AB), Marlee Jordan (NS), Patrick Young (Director at Large), Dr. Verona Singer (Director at Large), Rachel Burnet (Territories), Dr. Tracey Bone (Manitoba), Andrea Monteiro (Director at Large), and Manj Toor (BC).

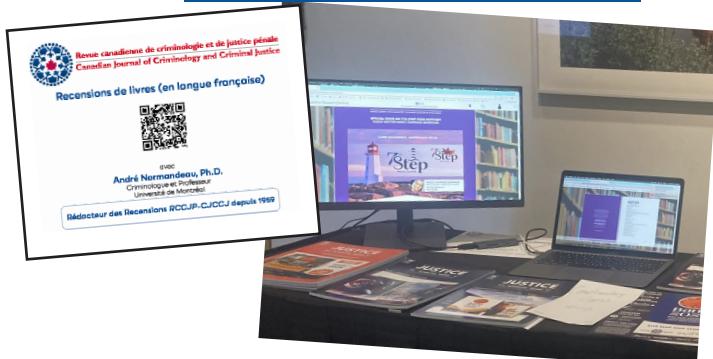


CCJA Crime Prevention Award recipient, Dr. Robert (Bob) Chrismas.

CREDIT: B. Chrismas



Banquet table (left to right): Miranda Henderson (BA-Criminal Justice and Volunteer Justice Report Assistant at the Congress) and Nancy Wright (Editor-In-Chief) with Board Members Patrick Young, Marlee Jordan, Dr. Verona Singer, Angela Falk (Executive Committee Director), and Rachel Burnet.



Thank you to Sherry Sims for organizing such a wonderful conference and for being front and centre to ensure it ran so smoothly.

Sherry Sims
Innovative Business Designs
sherry@innovative4you.com

KEYNOTES, ROUNDTABLES, AND CLOSING. DAY THREE—WEDNESDAY, OCTOBER 9

OVERCOMING ADVERSITY AND CELEBRATING SUCCESS: A FIRST NATIONS POLICING STORY



Chief Keith Blake (Tsuut'ina Nation Police Service)

Starting the final day of the conference, Chief Keith Blake of the Tsuut'ina Nation Police Service looked at the challenges and successes of his department (and many other Indigenous police services) since they gained policing authority in 2004 under section 5 of the RCMP Police Act. Tsuut'ina Nation Police Service builds trust and long-term relationships in the community through outreach, engagement, collaboration, and a genuine understanding of community/clients' value system and protocols. The Tsuut'ina Nation Police Service has accomplished this in part by reviewing and personalizing the complaints process/victims statements, incorporating Indigenous ways of being into the organization, and escalating referrals and wrap-around support services. The Tsuut'ina Nation Police Service has high community satisfaction and support (with the community directly paying for them to have more officers and helping them obtain a new building). Corroborating Chief Justice Marchand's comments on the legislation changes that will be needed, Chief Blake called attention to the fact that Indigenous police have severely inferior rates of pay and pensions, but the *Indian Act* imposes limitations on contesting unequal funding. Despite these disparities and facing a far higher crime severity index (CSI) than regular jurisdictions, the Tsuut'ina Nation Police Service has had only one lethal force encounter.

THE MINISTER OF PUBLIC SAFETY AND EMERGENCY SERVICES



The Honourable Mike Ellis

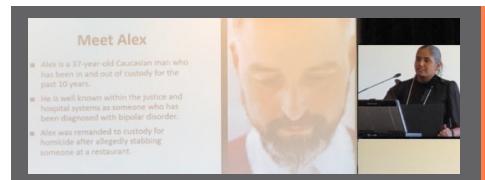
Capping off the conference, The Honourable Mike Ellis discussed the need for police departments to be a reflection/extension of the communities they serve, to stop the cycle of abuse, to recognize addiction as a neurobiological illness which requires treatment, and to reduce recidivism by giving offenders skills, job support and housing alongside treatment. When people feel cared for and can hope for a better tomorrow, they are empowered to make changes. This especially highlights the need to promote Indigenous self-policing and encourage courts to empower and promote healing for offenders, victims, and the community.

HIGHLIGHTS FROM THE CONCURRENT SESSIONS OF CCJA'S 39TH BIENNIAL CONFERENCE

CONCURRENT SESSIONS DAY ONE

A1-1: Debunking the “One Size Fits All” Policy Approach in Corrections

Andrea Monteiro, Ethical Correctional Consulting Inc.

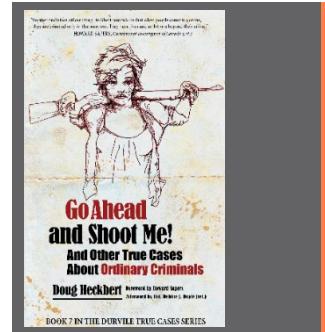


Demonstrating why a strong policy framework is essential but a rigid operational approach is not working, Andrea Monteiro (a former Director of Corrections and Superintendent) engaged with attendees about implementable strategies focussed on a person-centred care approach to treatment and service delivery. Using a case study, Monteiro explored the barriers to implementation that frontline correctional practitioners face, including existing staffing and infrastructure resources that do not contemplate the care needed to humanely manage the needs of complex correctional clients. Contact Andrea.Monteiro@EthicalCorrections.com for more information on this presentation.

A1-2: Who is Responsible for Educating the Public about Criminal Justice?

Doug Heckbert, President KAS Corporation Ltd

Criminal justice agencies could (and should) play a crucial role in informing the general public about criminal justice, says former probation officer and educator Doug Heckbert. While presenting the Parole Board of Canada website as a compelling model—explaining PBC’s responsibilities/ services including public-awareness Outreach—Heckbert suggests that adding a few real-case summaries (edited for confidentiality) would also go a long way in demystifying probation services and the clientele served. This presentation is available on the CCJA website (www.ccja-acjp.ca).



A2: Moving Towards Indigenous Cultural Safety in Forensic Mental Health

Marichelle Leclair (Université du Québec en Outaouais), Nick Wiki McKenzie Braley (Université du Québec en Outaouais), Michael Pierre (Université du Québec en Outaouais) and Alicia Nijdam-Jones (University of Manitoba).

A3: The 7 Steps to Freedom (Healing through Helping)

George Myette and team: Peter Brown (7th Step Canada), Iridian Grenada (7th Step BC Chapter) and Warren McDougall (7th Step Pacific Region)

7th Step covered an area rarely talked about in the rehabilitation field: Healing through Helping. Four 7th Step members, two from Nova Scotia, one from Alberta and one from British Columbia, discussed their journey through the carceral system and how they prevailed by giving back and helping others reintegrate into society. This presentation is available on the CCJA website (www.ccja-acjp.ca).



A4: Creating Guidelines for Frontline Workers to Support Trafficked Persons:

A Pathway Towards Healing and Safety

Dr. John Winterdyk, Mount Royal University

Recognizing crime as “relative and evolutive”, Professor Emeritus Dr. John Winterdyk put Human Trafficking into a Canadian context, highlighting many misconceptions people have regarding what Human Trafficking is/looks like, its rapid evolution and how well/poorly Canada is doing at addressing it in a global context. High potential profits for human traffickers and the consistent availability of desperate individuals who can be victimized, combined with low prosecution rates make human trafficking one of the fastest growing crimes in Canada and around the world, so Winterdyk emphasizes the need for strategies that take these factors into account and a toolkit that can inform and help frontline workers. This presentation is available on the CCJA website (www.ccja-acjp.ca).



A5-1: Integrating Traditional Healing Practices into Health Services Delivery

Dr. Bryce Stoliker and Dr. Lisa Jewell (Centre for Forensic Behavioral Science and Justice Studies (USask)), Nichelle Nordholt (Correctional Service Canada) and Chaneesa Ryan, (Correctional Service Canada).
This presentation is available on the CCJA website (www.ccja-acjp.ca).

A5-2: Cultural Safety Within Integrated Correctional Health Promotes Effective Reconciliation Efforts

Brent Bogart, Health Manager, Correctional Service Canada (Pacific Region).

B1: Tsuut’ina Nation Peacemaker RJ Program and Court

Loni Heavenfire, Peacemaker Coordinator – Mediator



With Tsuut’ina Nation’s Peacemaker Court becoming a model for many other Restorative Justice courts in Canada, Loni Heavenfire gave an in-depth look at what makes it so unique and effective for victims and offenders. Heavenfire highlighted crucial aspects of a mediator’s role, the values and guiding principles underlying the court, how peacemaking circles are set up, and the steps of the peacemaking process. A more recent responsibility the court has undertaken, completing Gladue aftercare/healing plans, was also discussed. This presentation is available on the CCJA website (www.ccja-acjp.ca).

B2: The Prospects for Indigenous, Black and Marginalized Applicants to the Proposed Miscarriages of Justice Review Commission

Dr. Myles Frederick McLellan.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

B3: Leveraging Artificial Intelligence to Support Post-Incarceration Journeys

Shay Sharma, Duologue Systems Bluejarvis Technologies.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

B4: Partnerships in Recollection: A Comprehensive Indigenous Community Engagement Approach by CSC

Kathy Neil (Deputy Commissioner, Indigenous Corrections), Marty Maltby (Director General, Indigenous Initiatives Sector, Correctional Service Canada) and Eric Michael (Executive Director, Willow Cree Healing Lodge Correctional Service Canada).

This presentation is available on the CCJA website (www.ccja-acjp.ca).



B5: Creating an Action Plan on Mental Health and Criminal Justice

Sandra Koppert, Krystal Kelly (on left) and Howard Sapers (Mental Health Commission of Canada)

Presenting for the Mental Health Commission, Sandra Koppert (Director, Mental Health Advancement, MHCC), Howard Sapers (Visiting Professor, University of Ottawa, former Correctional Investigator of Canada and current Chair of the Implementation Advisory Panel for the Structured Intervention Unit (SIU) system replacing the now-banned ‘correctional’ practice of Solitary Confinement in Canada) identified the preliminary themes around justice-involved individuals: trauma-informed care & prevention; data and metrics; value of peer support; education and training; need for more ‘off ramps’; need for more coordination; housing; and barriers to accessing services. This presentation is available on the CCJA website (www.ccja-acjp.ca).

C1: How the Built Environment Can Influence Positive Inmate-Patient Outcomes

David Redemske Senior Principal, Health Planning/Architect.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

C2: Peeling the Paradigm: Exploring the Professionalization of Policing in Canada

Dr. Christina Witt (Calgary Police Service/ Mount Royal University) and Dr. Kelly W. Sundberg (Mount Royal University).

This presentation is available on the CCJA website (www.ccja-acjp.ca).

C3-1 Moving Forward Together - A Seat at the Table for Victims

Celine Lee, Victim Services of British Columbia

Celine Lee explored how the impact of victimisation extends beyond the harms commonly recognized by the justice system and that responses to trauma are highly individualized and depend upon people's prior experiences/support networks. Within a framework of preventing secondary victimization, Lee emphasized the need for the justice system to function in a trauma-informed way and the importance of considering external factors that may impact individual needs related to processing their trauma. This presentation is available on the CCJA website (www.ccja-acjp.ca).



C3-2: One Law, Many Voices: Expanding Culturally Responsive Parole Hearings

Paula Vargas, Amy Agar, & Anne-Marie Borle of The Parole Board of Canada (Prairie Region)

Paula Vargas, Amy Agar, and Anne-Marie Borle looked at how parole boards are run across the country, as well as their underlying values and regulations. They highlighted many ways in which the parole of offenders benefits the community, and the factors the board considers (and promotes) to try and ensure the successful reintegration of an offender into society through parole. The Parole Boards diversification efforts and aspects of culturally responsive hearings were also discussed. This presentation is available on the CCJA website (www.ccja-acjp.ca).



C4: A Balancing Act: Ensuring Public Safety, Safeguarding Human Rights and Promoting Cultural Practices

Michael K. Olotu, Director General, Rights, Redress and Resolution.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

C5-1: Housing Older Persons with a Penal Background: The Lived Experience

Émilie Cormier (Université du Québec à Montréal) and Michel Gagnon (Maison Crossroads)

Presenting findings from photovoice interviews with residents of the Joe-Mel housing resource, a promising practice for supporting older adults at risk of homelessness, Cormier and Gagnon's analysis revealed how successfully this new resource assisted residents in its initial months and, through Joe Mel's humanistic approach, helped them reconnect with their fundamental dignity. Cormier and Gagnon also explored aspects of the prison context that can aid in reaffiliation but pose challenges in the process. This presentation is available on the CCJA website (www.ccja-acjp.ca).



Émilie Cormier (Université du Québec à Montréal) with Merris Centomo and Michel Gagnon (Maison Cross Roads)

C5-2: Elderly People in Conflict with the Law: A Canadian Experience

Merris Centomo & Michel Gagnon of Maison Cross Roads

Maison Cross Roads (MCR) is a Montréal community-based agency providing specialized services to Elderly People in Conflict with the Law (EPCL). MCR's Merris Centomo (ED) and Michel Gagnon (Board; former ED) described the various programs and services implemented for EPCL over the last 20 years. Centomo and Gagnon depicted the wide-ranging services that Maison Cross Roads has provided EPCL such as liaison services and satellite apartments, the Geronto-criminology intervention model, and a subsidized housing facility for EPCL. This presentation is available on the CCJA website (www.ccja-acjp.ca).

CONCURRENT SESSIONS DAY TWO

D1: Nathan Chasing Horse-International Human Trafficking Case Study

Mike Cavilla, Tsuut'ina Nation Police Service

Mike Cavilla used his experience working on the Nathan Chasing Horse case to illustrate the complexity of addressing crimes committed across multiple countries (international jurisdictions). Within this context, Cavilla stressed the importance of interagency communication and collaboration to synergize information, work effectively, keep victims safe and hold offenders accountable.



D2-1: Injunctions as an exercise of settler-colonial power

Dawn Rault, SFU School of Criminology.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

D2-2: Making the Connection: Our Built Environment and Well-Being

Steven Woolrich, SMW Consulting Solutions.

This presentation is available on the CCJA website (www.ccja-acjp.ca).



D3: Enhancing Capacity through Reconciliation, Decolonization, and Indigenization for Community-based Organizations

Danielle Kouri (St. Leonard's Society of Canada), Anita Desai (St. Leonard's Society of Canada) and Jessica Rumboldt (JR Business and Academic Consulting)

This presentation explored St. Leonard's Society of Canada and its members' process of applying decolonizing and indigenizing strategies to contribute to reconciliation efforts more meaningfully. The audience was engaged in discussions about key terminology, knowledge of promising practices for developing and maintaining collaborative, cross-sectoral relationships, and ways community-based organizations can better contribute to advancing the Truth and Reconciliation Commission's Calls to Action and a collaborative path forward. This presentation is available on the CCJA website (www.ccja-acjp.ca).

D4: Ten Years since Spirit Matters: Indigenous Issues in Federal Corrections

Dr. L. Gutierrez (Deputy Director, Policy and Research, Office of the Correctional Investigator), M. Giles (Senior Advisor, Policy and Research, Office of the Correctional Investigator) and H. Miron (Deputy Director, Indigenous Portfolio, Office of the Correctional Investigator).

This presentation is available on the CCJA website (www.ccja-acjp.ca).



E1: Ohén:ton Saionwàtka'we (Section 84 - Early release of the Corrections and Conditional Release Act and The clinical team in action)

Lloyd Philip (Mohawk Council of Kahnawake), Petal McComber (Mohawk Council of Kahnawake) and Kathleen Angus (Correctional Service Canada).

Section 84 conditional release of the Corrections and Conditional Release Act: If an inmate expresses an interest in being released into an Indigenous community, the Service shall, with the inmate's consent, give the Indigenous governing body: a) adequate notice of the inmate's parole review or their statutory release date, as the case may be; and b) an opportunity to propose a plan for the inmate's release and integration into that community. This legislation helps promote reconciliation through reintegration of offenders into their communities. This presentation is available on the CCJA website (www.ccja-acjp.ca).

E2: Supporting the Reintegration of Individuals with Sexual Offenses: The Core Member Needs and Strengths Tool (CM-NAST)

Pamela M. Yates, Ph.D., R.Psych. This presentation is available on the CCJA website (www.ccja-acjp.ca).

E3-1: Examining the Needs and Preferences of Indigenous BC Corrections

Clients Dr. Lisa Monchalin (Correctional Service Canada), Dr. Tonia Nicholls (Correctional Service Canada) and Dr. Amanda Butler (Correctional Service Canada)

Dr. Lisa Monchalin, Dr. Tonia Nicholls and Dr. Amanda Butler examined how racism and discrimination have led to the overrepresentation of Indigenous people in prison and how the parallels between prisons and the Residential Schools can retraumatize Indigenous inmates and their families. By way of a jail-screening assessment tool, they showed that most risk factors are greater for Indigenous inmates than non-Indigenous inmates. While most inmates have similar needs, Indigenous inmates have a greater clinical complexity requiring specific culturally safe services. This presentation is available on the CCJA website (www.ccja-acjp.ca).



E3-2: Experiences at Indigenous Healing Lodges: A Qualitative and Collaborative Study

Dr. Laura Hanby (Research Branch, Correctional Service Canada), Marty Malby (Correctional Service Canada), Annetta Armstrong (Indigenous Women's Healing Centre) and Eric Michael (Willow Cree Healing Lodge)

This panel expanded on the history of healing lodges, their legal underpinnings, and the requirement for the government to collaborate with the communities the lodges are built in. Hanby, Malby, Armstrong, and Michael explored how healing lodges incorporate Indigenous culture and values in their programming as well as how they allow reunification with family members, help offenders build community connections and provide opportunities for employment/education. Healing lodges give offenders a safe place essential for healing, introspection, accountability, and hope. This presentation is available on the CCJA website (www.ccja-acjp.ca).



Marty Malby, Laura Hanby, Eric Michael, Annetta Armstrong

E4: Enhancing Police Practices: Integrating Indigenous Cultural Sensitivity in Law Enforcement Procedures

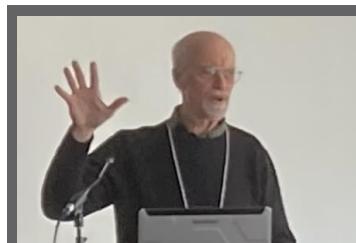
Sherry Elliott, Indigenous Relations Team, Calgary Police Service.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

F1: Achieving Restraint in Criminal Justice: Canada's Youth Criminal Justice Act

Richard Barnhorst

Richard Barnhorst compared the impact the Youth Criminal Justice Act has had in its 20 years of implementation with the previous Young Offenders Act and the Canadian Criminal Code (in relation to adult offenders). Barnhorst used statistics to illustrate the effectiveness of the more restorative (and better clarified) policies of the Youth Criminal Justice Act, resulting in fewer court cases for non-violent crimes, police diversion of youth cases, and use of alternative measures. This presentation is available on the CCJA website (www.ccja-acjp.ca).



F2: Lived experience navigating a path to healing

Roberto Diaz



F3: PeerLife- Supporting Justice-Involved People through Peer Mentorship

Catherine Brooke (ED St Leonard's) and Dirk Young (Peer Outreach Worker, St. Leonard's)

Informing on PeerLife (transition services) Supporting Justice-Involved People through Peer Mentorship, Executive Director Catherine Brooke explained how St. Leonard's House Windsor started the halfway house movement in Canada. Dirk Young, a St. Leonard's Peer Outreach Worker answered questions from attendees about his experience as a peer mentor. This presentation is available on the CCJA website (www.ccja-acjp.ca).

F4: The Impact of Marketing in Police Recruiting

Mitko Toshev, Wilfrid Laurier University/Calgary Police Service.

This presentation is available on the CCJA website (www.ccja-acjp.ca).

CONCURRENT SESSIONS DAY THREE

G1: Engaging People with Lived Experiences in Developing Municipal Drug Policies

Marlee Jordan and Steven Deveau of the Nova Scotia Criminal Justice Association (NSCJA).



Presenting for the NSCJA on a Substance Use Consultation Project (2022-2023) offering key insights into the development of a municipal drug and alcohol strategy, Marlee Jordan and Steve Deveau emphasize the importance of collaborating with lived experience organizations and actioning the core concepts of peer support. This presentation is available on the CCJA website (www.ccja-acjp.ca).



G2: Safe Space, Strong Foundations: Breaking the Cycle Through Restorative Justice

Victoria Cowtun, YW Calgary

Looking at the use of restorative justice in domestic violence situations, Victoria Cowtun elaborated on the foundations of restorative justice, the five stages of restorative justice she helps participants go through (including questions/tools used during mediation) and how restorative justice practices can be essential to victim healing. Restorative justice can also be used outside the justice system, allowing people who may not feel comfortable addressing serious issues in the justice system to get vital help. This presentation is available on the CCJA website (www.ccja-acjp.ca).

G3: Incendiary Alchemies: How Conspiracy Theorists, Bot Nets, and Fake News Stories Foiled First Responders

Wade Wallace Deisman, University of Fraser Valley, Criminology

G4: Black Offenders and Integrating the Community as Partners in Reconciliation

Katherine Cole, Correctional Service Canada (CSC).

Reporting on over-representation of Black offenders in federal corrections and conditional release, CSC's Katherine Cole emphasized that anti-Black racism affects all Black Canadians and is manifested in the legacy of the current social, economic, and political marginalization of Black people in Canada within society, such as through the lack of opportunities; lower socio-economic status; higher unemployment; significant poverty rates; and overrepresentation in the criminal justice system. Black men represent approximately 9% of inmates in federal corrections and Black women represent 4.2% in custody (but their percentage is higher in the community on conditional release (6%)), while Black people account for 4.3% of the total population (Census 2021). This presentation is available on the CCJA website (www.ccja-acjp.ca).



THANK YOU!

A huge thanks to all the amazing presenters who not only helped shine a light on pressing criminal justice issues during their sessions with their insightful presentations, but stayed afterwards to answer questions, and also engaged in conversations with attendees throughout the conference.

THE CANADIAN CRIMINAL JUSTICE ASSOCIATION (CCJA) WELCOMES STUDENTS

For students who may be nervous or on the fence about attending a CCJA conference, I would encourage you to do it. For me, this conference was an immensely valuable experience. All of the presentations were insightful; I learned a lot from them and seeing the passion of the presenters was incredible. Despite probably being the least experienced attendee, everyone I ran into welcomed my questions and gave me a lot of interesting insights and anecdotes about criminal justice/their jobs. Outside the context of the Congress, I doubt I would have had the confidence to ask half the questions I did or engage with a quarter of the people I met; it also gave me the opportunity to grab the contact information of people I'd like to learn more from.

Canadian Criminal Justice Association congresses offer a rare opportunity to be around people in our field with similar interests, focusing on the same issues but without the immediate pressure of work/school stifling conversation. For those unable to attend this conference, I recommend enjoying the presentations on the CCJA website www.ccja-acjp.ca. They provide a great overview of the issues facing us, useful statistical information, and can ignite your interest in topics you hadn't known about before. These issues are longstanding, serious and require everyone's attention if they are to be addressed and fixed.

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RÉSUMÉ

A Student's Eye View of CCJA's 39th Biennial Congress on Criminal Justice: Banff 2024!

MIRANDA HENDERSON
BA in Criminal Justice

Mira Henderson qualifie la 39e conférence de l'Association canadienne de justice pénale, tenu en octobre, au Banff National Centre for Arts and Creativity, comme un événement extraordinaire pour toutes les personnes présentes, incluant les étudiant(e)s. Henderson exprime sa reconnaissance envers l'Association canadienne de justice pénale et son co-hôte, l'Alberta Criminal Justice Association, ainsi que les commanditaires, organisateurs et les présentateurs pour la qualité exceptionnelle de cette conférence. La gentillesse et l'attention des présentateurs et des participants, tels que le personnel du CCJA et les membres du conseil, ont été grandement appréciées par Miranda Henderson en tant qu'adjointe bénévole (de la publication *Actualités Justice*) à la conférence. Henderson termine en incitant chacun à consulter les nombreuses présentations de ce congrès diffusées, sur le site Web du CCJA, et elle envoie un message aux étudiants : Ne soyez pas anxieux ou hésitant à venir à une conférence du CCJA; c'est une opportunité formidable d'apprendre en écoutant des conférenciers et en côtoyant des experts de partout au pays dans le domaine de la criminologie et de la justice pénale – et il y a toujours la possibilité d'être invité à publier un article dans l'*Actualités Justice* de l'ACJP.



The Virtuous Briefing Circle: A Safety Net for Those Who Protect

CHRISTINE WELSH AND BOB CHRISMAS¹

The sharing circle permanently integrated into the office of Winnipeg's new Community Safety Team makes proper briefing and debriefing part of the daily protocol. Our sharing circle is configured in line with sharing circles in the traditions of many Indigenous peoples in North America. It is a peer circle, where everyone has a say and learns daily from each other. It represents an important shift away from the stereotypical stoic mindset that simply does not meet the mental health needs of frontline emergency service personnel, many of whom routinely face deteriorating social conditions (poverty, addiction, mental illness) at almost every turn. For most frontline workers, these experiences have traditionally not been unpacked in debriefings, if at all, because there have been no formal critical incident management (CISM) processes for 'uncritical' repetitive traumatic incidents. It is now known that cumulative post-traumatic stress can easily evolve into a full-blown disorder, which is why we have implemented a sharing circle for trauma-informed public safety delivery.

BUILDING A SAFETY NET

In Winnipeg as in other cities across Canada, a crisis emerged out of COVID. Greater poverty, food insecurity related to supply and pricing, skyrocketing rents/mortgage rates and an overall lack of shelter, have been exacerbated by a persisting and fatal scourge of street drugs across the country. This all put unprecedented demands and stress on public safety providers. Also consistent with the rest of Canada, these tragic social issues in Winnipeg spilled into public transit, causing a significant reduction in ridership and affecting the ability to retain bus drivers. The City of Winnipeg leadership envisioned a new tier of law enforcement to improve public safety, a Community Safety Team, that would fill systemic emergency service gaps by acting as a dynamic social interface with these evolving issues. Their first mission is to improve safety in Transit.

Recognizing the potential challenges for the safety team members, leaders within the new team created a strong sharing culture from the first day, sitting in a circle and briefing/debriefing thoroughly at the start and end of every shift. The idea grew from the team leaders' experiences and knowledge of restorative practices that other agencies broadly lacked in daily debriefing processes.

The office was eventually established with a built-in and permanent sharing circle. This seemingly simple design and policy feature represents a shift away from the stoic mindset and has had profound positive effects, allowing the team to develop unique levels of resilience and cohesiveness. In Indigenous culture, the Traditional 'Talking Circle' is an ancient way of bringing people of all ages together in a quiet, respectful manner for the purpose of teaching, listening, learning and sharing. They would pass around a talking stick or an eagle feather, each person holding it while sharing. Sharing circles are also used as an accepted way of providing group support or counselling for people who are dealing with issues such as addictions, violence, grief, and trauma.

Winnipeg's Community Safety Team is dedicated to protecting public safety while supporting vulnerable residents in urgent need. Our team of Safety Officers are sworn Manitoba Peace Officers who work alongside Winnipeg emergency services, safety patrols, and social agencies. Safety Officers assist individuals experiencing homelessness, addictions, and mental health issues, providing on-scene support and connecting them to appropriate resources.

[www.winnipeg.ca/services-programs/
emergency-public-safety/community-safety-
team](http://www.winnipeg.ca/services-programs/emergency-public-safety/community-safety-team)

¹. See About the Authors on page 21 of this article.

MITIGATING TRAUMA FOR FRONTLINE RESPONDERS

The Winnipeg Community Safety Team was established in 2023 by order of City Council and in support of Mayor Scott Gillingham's election promise to establish enhanced public safety measures in Winnipeg. A Team Lead (Bob Chrismas) was selected and authorized to hire 25 additional full-time positions including two support staff, two supervisors, and 21 Safety Officers. All the normal city processing was expedited, from writing job descriptions to equipping, training, and establishing the authority of the safety officers. Writing the potential for exposure to violence and stress into job descriptions and selection criteria was key, as we recognized from the start the work would be challenging in many ways. We sought people with social work experience proven resilience, non bias communication skills and also the training and ability to use force when unavoidable.

Mental health among public safety personnel in general has been on a steady decline over recent decades in Canada. More research is necessary to pinpoint the exact causes; however, from a practitioner's perspective, it is clearly a combination of constantly being asked to do more with less and the vicarious trauma acquired through dealing with people who are suffering the effects of deteriorating social conditions. Eight retired and serving police officers in the province of Ontario committed suicide in 2008, presenting as a state of catastrophe in emergency responder mental health and wellbeing in Canada (Milliard & Chrismas, 2023). The Federal Government funded \$20M to supplement ongoing research and development of mental health resources for public safety personnel (Chrismas, 2023). Winnipeg's Community Safety Team was established with that context and officer wellbeing in mind.

In the authors' experience, the constant and increasing demand on police officers never allowed time for thorough regular debriefs. Hence the stereotypical stoicism for which police are known and have prided themselves on. Under normal conditions, stoicism is a way to be emotionally resilient and boost inner strength by accepting what you cannot control and focussing on what you can control. But policing today is increasingly fraught with things beyond the control of individual officers

ABOUT THE AUTHORS

Christine Welsh is a 25-year policing veteran and founding supervisor of Winnipeg's newly established Community Safety Team. Her enduring passion for frontline police leadership, emergency service personnel mental health and well-being has led her to play a key role in establishing an innovative briefing practice and healing circle in the City of Winnipeg's Community Safety Team.

Bob Chrismas retired from 34 years of policing in the fall of 2023 to move directly into establishing Winnipeg's first-ever Community Safety Team. He had also just completed a one-year term as a post-doctoral fellow with the Canadian Institute for Public Safety Research and Treatment, developing mental health resources for public safety personnel across Canada. Bob's vision for the new Community Safety team was for tiered law enforcement with community safety in mind, compassion for vulnerable people and a strong focus on the well-being of the officers it employs.

The authors acknowledge fellow team leaders Sean Berman and Nikki Chenier for their role in facilitating the sharing circle daily; and also the safety officers, who come from diverse backgrounds, for sharing openly and bringing their experience to the team. We also acknowledge the City leaders for empowering us with the freedom to take a different team approach to difficult social issues.

In the name of Reconciliation, the authors bear witness to the benefits of the ancient Indigenous models of talking and sharing circles.

– including staffing gaps and excessive work hours. These stresses are exacerbated by the weakening of the social fibre evidenced by youth gangs, the opioid overdose epidemic, addiction in general, and homelessness among other mental-health concerns. Many officers confront this every day in our work.

Where the stoic mindset has long had police packing these incremental pressures away, it can lead to overload if there is no real (facilitated) opportunity to unpack them (Gill, Milliard & Chrismas, 2023). In the past, officers who attempted to get ‘help’ were stigmatized due to this culture of denial (Chrismas, 2013 & 2024; Milliard and Chrismas, 2023). While the value of regular debriefing is now conventional wisdom, it is still not formally implemented in most work environments due to factors such as budget, manpower constraints and organizational cultures. Much research is now underway on how to address this complex issue facing policing and other frontline organizations (see CIPSRT, 2023).

Being well aware of the potential challenges and dangers Winnipeg’s first public safety team would experience, we integrated a thorough briefing and debriefing process from day one, and not just after critical incidents (Chrismas, 2024b). The need was intensified by the lack of opportunity to perform field training after an initial five weeks in the classroom. Developing something from a blank page means working in the unknown. This new unit and role have similar demands as policing and presented an opportunity for us to act on half a century of policing experience training and experience in peer support, stress management and mitigating work-related trauma and moral injury. We decided to strive to set it up right.

THE VIRTUOUS CIRCLE

A sharing circle was the preferred model from the outset, as opposed to traditional classroom-style briefing rooms. The circle is an ancient configuration found in the traditions of many North American Indigenous people and recognized for facilitating sharing. Sitting in a circle amongst peers naturally creates a feeling that it is a safe space in which to share. It is impossible for anyone to hide at the back of the class in a circle, so sharing is enhanced.



Sharing circle permanently integrated into the office of Winnipeg’s new Community Safety Team

CREDIT: R. Chrismas

As we unpack our daily interactions and experiences, we learn from everyone’s strengths, knowledge, and vulnerabilities and how we can each uniquely contribute to the betterment of the team and our community. We learn from each other’s mistakes as a team, which is easier than on an individual basis. Our members have experienced challenges and growing pains—learning on the fly, where we fit in the community and within our team. Sharing daily has allowed us to empower people based on their strengths. We’ve capitalized on moments to challenge, motivate, and encourage team members to perform to their full potential. This also helps us balance their skills and address areas for improvement. Debriefing in the sharing circle has been truly rewarding. It has also allowed us to recognize achievements and support each other by applauding members in gratitude and appreciation of each other’s contributions. While this is an unfamiliar and innovative approach for most, it has allowed us to deal with issues at a deeper, more emotional level.

CONCLUDING REMARKS

We wrote this article to share Winnipeg’s Community Safety Team’s use of a sharing circle. With over 60 years of collective policing experience between us, the authors both have felt the effects of cumulative trauma from daily street experiences that never get unpacked. Much further research into prevention is currently underway, but this model offers a solution to work towards (CIPSRT, 2023; see also Chrismas, 2023).

Some frontline emergency service personnel take on daily trauma at almost every turn. Agencies cannot deploy formal critical incident management (CISM) processes for low stress repetitive incidents. Most are never unpacked, and the cumulative post-traumatic stress can easily evolve into a full-blown disorder. Cumulative effects and moral injuries related to daily work interfacing with citizens caught up in social challenges can be as great, if not greater, than the impact of sporadic major traumatic events. As expressed through observations by Winnipeg's safety officers: "through the sharing circle, the team is able to express the stress of 'what could we have done better' which helps with easing burdens on our shoulders." A second officer said, "The sharing circle allowed me to let go of the burden that's hidden inside my heart."

We start each shift with a few minutes of exercise and share some laughs and a little about what is going on in our lives. Then, we do a thorough debriefing at the end of each day. An unintended result of the debriefing practice is the elimination of the stigma that has persisted in the emergency services over seeking help when it is needed (Gill, Milliard and Chrismas, 2023). Everybody participates in every debriefing, sharing their vulnerabilities, so no single person is reluctant to be labelled for seeking help. The culture in emergency services has evolved a great deal in recent decades, but "still has a long way to go" in that regard (Chrismas, 2023). Everyone sits in the circle and participates in the daily discussions. This luxury of time has allowed a wonderful cohesive culture to emerge. It is also a great opportunity to share our successes and perform team-building exercises.

Creating this space fosters emotional well-being, strengthens team cohesion, and allows for meaningful reflection, ultimately making a significant difference in how we cope and grow as a team. We use it for training and community collaboration as well. We published this article to share a practice that we feel can replace the stereotypical stoicism engrained in emergency services of all types across the country. In these times of unprecedented stress and demand on public safety providers, the sharing-circle practice

offers hope to do better for our frontline while ensuring trauma-informed and compassionate public safety.

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RÉSUMÉ

The Virtuous Briefing Circle: A Safety Net for Those Who Protect

CHRISTINE WELSH AND BOB CHRISMAS

Le cercle de partage existe en permanence dans le bureau de la nouvelle Équipe de sécurité communautaire du Winnipeg, Manitoba. Configuré en fonction des cercles de partage provenant des traditions de plusieurs peuples autochtones d'Amérique du Nord, notre cercle est intégré au protocole quotidien. C'est un cercle de pairs où chacun a son mot à dire et apprend d'autrui au quotidien. La mentalité stoïque stéréotypique n'a jamais répondu aux besoins en santé mentale du personnel des services d'urgence de première ligne, faisant face quotidiennement à une détérioration des conditions sociales (pauvreté, dépendance, et maladie mentale). Ils n'ont pas partagé leurs expériences lors des debriefings, car il n'y a jamais eu de processus officiel- comme celui de la gestion du stress lié à un incident critique (CISM)- pour les travailleurs de première ligne qui font face à des incidents traumatisques répétitifs « non critiques ». Il est maintenant connu que le stress post-traumatique cumulatif peut se métamorphoser en trouble de stress post-traumatique sans difficulté. Nous avons donc mis en place un cercle de partage pour offrir des services de sécurité publique qui prennent en compte les traumatismes.

Writing for Justice: Envisioning a World Beyond Incarceration Through Prisoner Correspondence

STEPHANIE LATTY & NAOMI BERLYNE¹

Condemning the retributive nature of the carceral system and calling for “non-reformist reforms” with the goal of prison abolition, Stephanie Latty and Naomi Berlyne discuss Write On!, a volunteer group founded in 2018 in Ontario that provides vital access to information for people incarcerated in Canadian prisons. Aiming to help counteract the damaging effects of incarceration, Write On!’s work addresses incarcerated peoples’ isolation and immediate needs for information and is grounded in a transformative justice approach that emphasizes community care and the rejection of retributive punishment.

Formed in 2018, Write On! is a non-incorporated group of volunteers, mostly based in Ontario, dedicated to supporting people incarcerated in Canadian prisons. We do this by answering letters they send us and responding to their requests for information; people in prisons have very limited access to information, including no access to the internet. Prisoners write to us requesting a wide range of often vital legal information needed to help them with their cases, but also lists of books on specific topics of interest, health and wellness information, services and resources in the community to help them when they leave prison, or sometimes things that can just brighten their day, like inspirational quotes, or pictures. As one writer aptly put it, “you are our Google.”

Through our letter writing, we have witnessed many of the very destructive effects of incarceration, such as loneliness, isolation, boredom and being almost completely cut off from the outside world. Some writers tell us they no longer have contact with family or friends outside and feel everyone has given up on them. Others express despair experienced while grappling with mental illness in institutions poorly equipped to handle and likely to actively compound such challenges.

A fundamental aspect of Write On!’s mission is envisioning a society in which incarceration is not needed. We recognize eventual carceral abolition as the only way to meaningfully achieve these types of goals in the long run. Following feminist abolitionists Parkes (2018) and Levine and Meiners (2020), we see state violence in the form of incarceration as an inadequate and unjust response to crime and including interpersonal violence. In the meantime, our work aims to improve the everyday lives of incarcerated people through “non-reformist reforms” – changes that address incarcerated peoples’ immediate needs but reject the expansion of the prison system (Oparah, 2015).

Incarcerating people is retributive - it follows an ‘eye for an eye’ mode of thought. While alternatives such as restorative justice models are used in the criminal justice system, they face implementation problems, are not universally accessible and are open to criticism for leaving a malfunctioning system intact. Current restorative justice practices often operate in tandem with law enforcement and the court system, expanding already bloated budgets and relying on what Kim (2021) calls the “coercive threat of more punitive measures” (p. 171).

1. About the Authors:

Dr. Stephanie Latty is an Assistant Professor in the Department of Criminology at Toronto Metropolitan University.

Naomi Berlyne founded Write On! in 2018.

WRITE ON! ALIGNS WITH PRINCIPLES OF TRANSFORMATIVE JUSTICE

Emerging from abolitionist thought and praxis, transformative justice is a framework for addressing harm, violence and conflict in society. Transformative justice refuses sole reliance on state (the CJS, police or other institutions) mechanisms of control, because they have been found to reproduce violence, especially against Black, Indigenous, racialized, disabled, trans and queer people, even when purporting to address it. As a framework, transformative justice strives to prevent violence from occurring and repair damage where it does, centring on accountability and community responsibility rather than retribution (Mingus, 1999; Morris, 2000). Transformative justice models (see for example: Creative Interventions, 2012; Piepzna-Samarisinha and Dixon, 2020; Ansfield, Herzing and Spade, 2023) emphasize community-driven approaches to responding to violence and challenge forms of ‘justice’ that rely completely on police or prisons.

While our work at Write On! does not aim to solve the problems within the criminal justice system, it aims to help alleviate some the suffering caused by the carceral system. It is our small contribution toward addressing harm through community care. What we witness in our work with Write On! certainly shows us that incarceration does not resolve crime, violence or criminogenic social problems. Canada needs a long-term solution that includes the dismantling of oppressive systems and structures in favour of alternatives premised on care, collectivity and the recognition of the inherent value and dignity of all people, regardless of who they are and what they have done. These solutions must be premised on a recognition that everyone has the potential to learn and grow, regardless of mistakes made in the past.

CONCLUDING THOUGHTS

In order to find such solutions, one can look to the many community-led transformative justice models that have already been implemented across the United States and Canada. It is also important to listen to the voices of incarcerated people and learn from Black, Indigenous and racialized scholars and

activists who have long called for the defunding and abolition of carceral systems. Many abolitionist scholars suggest that the work of creating a better world must start with ourselves. We must ask ourselves difficult questions about our own relationships to harm, retribution and revenge when we are confronted with conflict, and practice seeing people as more than the worst thing they have done. By starting here, perhaps we can help usher in a different way of thinking and being with one another, develop a new grammar and vocabulary to address harm, and begin to do the messy and experimental work of building a livable world.

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RÉSUMÉ

Writing for Justice: Envisioning a World Beyond Incarceration Through Prisoner Correspondence

STEPHANIE LATTY ET NAOMI BERLYNE

Condamnant la nature répressive du système carcéral et faisant appel à une réforme qui aboutirait finalement à l’abolition des prisons, Stephanie Latty et Naomi Berlyne discutent l’organisme sans but lucratif « Write On! » qui offre un accès vital à l’information aux personnes incarcérées dans les prisons canadiennes. *Write On!* s’efforce à combattre les effets néfastes de l’incarcération en abordant l’isolement des personnes incarcérées et leurs besoins immédiats d’information, et nous adoptons une approche de justice transformatrice axée sur les soins communautaires et le refus des peines rétributives.

A Treatment-First Approach to Prison Reform

JIM DODGE* AND DAVE REDEMSKE*

Prison design is integral to the growing trend of prison reform centred on a treatment-first approach ensuring outcome-focused, trauma-responsive facilities that can holistically address the root causes of criminal behaviour and offer individualized patient-centred services for incarcerated people. Least-restrictive environments operating by way of direct supervision and having respite rooms for staff and residents combine with other design factors to also make prisons and jails feel safer and be more secure for both residents and staff alike. Healing environments foster rehabilitation, but extensive follow-up prioritizing post-release integration with community-based agencies/treatments to prevent recidivism are also key to penal reform.

Society's slow march to make corrections less punitive in order to fulfill its rehabilitation mandate is beginning to gain some important ground. Scientific research tells us that incarcerated individuals have traditionally experienced idleness, isolation, lack of exercise/fresh air/compassion, and bad influences/fear of others in their milieu, which can exacerbate criminal behaviour, whereas diversion and direct supervision can have the opposite effect. Today, correctional facilities in many countries are beginning to adopt approaches that prioritize the treatment of residents' mental and physical health. This shift comes as the relationship between social determinants of health and incarceration has increasingly come into focus.

For incarcerated people to be successfully rehabilitated and reintegrate into their communities, mental and physical health must be meaningfully supported within the justice system. After all, the prevalence of mental disorders in federal Canadian prisons, as in other jurisdictions, is about 2-10 times higher¹, depending on the disorder, than in the community. Designers and correctional leaders have an obligation to rethink prisons and jails as treatment-focused facilities providing forward-thinking, trauma-responsive environments and systems. To help reduce recidivism rates, such

models must also incorporate extensive follow-up and prioritize integration with community-based agencies/treatments to ensure rehabilitation extends beyond release. This method of crime prevention not only has the potential to improve outcomes for those who are incarcerated but will also improve work conditions, which will help institutions recruit and retain staff.

ABOUT THE AUTHORS

***Jim Dodge, MAATO, GGP** is a Justice Principal who leads the Business Development of HDR's Justice Sector in Canada. With over 23 years of experience, he has led numerous Correctional and Health Care facility projects across the country. He has been instrumental in the correspondence and creation of many Federal and Provincial government related reports and submissions.

***Dave Redemske, ACHA, CCHP** is an Architect and Senior Principal in Health Planning for HDR. He has over 33 years of industry experience and has designed Correctional Health facilities throughout the globe. Dave was the recipient of HDR's first Research Fellowship and spent over a year examining healthcare in the U.S. prison system.

DESIGNS PUTTING TREATMENT FIRST



Chronic medical and mental health conditions have long been common for people in correctional facilities. According to surveys, 44% of incarcerated people in the United States reported

medical and/or physical illness; 73% reported a chronic condition at the time of admission; and 36% of respondents reported a learning, speech, hearing, vision, mobility or mental health impairment (Ahalt et al., 2012; Marquart et al., 1997; Maruschak, 2012; Maruschak et al., 2015; Wilper et al., 2009)². The majority of those who suffer from mental health conditions also have a co-occurring substance abuse disorder (Macmadu, 2015; Cropsey et al., 2012)³. Such figures are on the rise in Canada, with 70% of men and 79% of women having at least one DSM-IV-TR diagnosis⁴.

To address these and related issues, the design of modern facilities must fully embrace a treatment-first approach and provide an outcome-focused, holistic continuum of care. Designers and administrators should do everything they can to reduce trauma triggers, which are common in older correctional institutions. Implementing colour theory, biophilic design principles, evidence-based design principles, and trauma-responsive design can go a long way toward creating a more healing environment for incarcerated people.

A building's design profoundly impacts its users, but it ultimately exists to support the operations within. Along with a growing emphasis on human-centred design, more institutions are focusing on offering services that address root causes of illicit behavior, including individualized patient-centred practices such as mental health counseling, community-oriented programs, education, spiritual and cultural integration, and other initiatives centred on rehabilitation. Forward-thinking institutions also house patients in the least restrictive environment possible while maintaining the principles of direct supervision. These operational changes can be transformative, giving residents a sense of empowerment while preparing them to return to their communities.

To this end, facility design should cater to the population it serves. Designers are responsible for considering these factors and creating the optimal space for a patient's treatment journey. The design goal is to create inviting spaces that encourage individuals to leave their rooms, engage in healing activities and spend time in healing environments.

THE WINDS OF CHANGE: DESIGNING A SAFE, SECURE ENVIRONMENT

Although the approach to treatment is evolving in correctional facilities, maintaining a secure environment for all users remains the foremost priority. Residents need to have a safe and stable environment for rehabilitation and treatment to be effective. At the same time, to do their jobs, facility staff need to feel that their mental and physical health is supported. For designers, the challenge is maintaining a sense of security for staff without impeding the healing environment for individuals and patients.

Many modern design strategies implemented in different project types, such as healthcare facilities, can also be effective in correctional settings. For example, respite rooms with calming lights can provide space for staff to rest and meditate. Resident and staff-designated recreation rooms and outdoor areas can also help establish a welcoming, comfortable environment.

Correctional leaders are beginning to embrace this new treatment-focused approach. At the Dallas County Jail in Texas, for example, staff safety and efficiency are at the centre of the design. The design includes secured staff spaces in the middle of treatment areas within an "off-stage" staff-only corridor system. This allows staff to move freely through the mental health units without coming into direct contact with patients. The jail also features distinct areas for mental health patient movement, which can also protect the patients from potentially distressing stimuli. Dallas County also includes negative pressure cells for patients with contagious diseases and hospital beds for those recovering from surgery, providing a sterile and secure environment for all.

Programming and treatment can extend beyond the prison walls. For example, the Franklin County Corrections Center campus in Columbus, Ohio includes a Rapid Resource Center for recently released people. It supplies them with referrals and connections to community organizations that can provide support and resources as they restart their lives. This type of programming is at the core of the next generation of correctional philosophy: treatment of underlying issues so that incarcerated people can successfully re-enter their communities; in other words: successful rehabilitation.

A NEW PARADIGM IN PRISON DESIGN

In Canada, a new proposed correctional treatment facility exemplifies what the future standard of corrections could look like. Using concepts of biophilic design, trauma-informed design, and evidence-based design, this facility is designed to support the mind, body and spirit of resident-patients. The facility is designed to provide smaller, more manageable housing units, direct supervision, individualized patient-centred treatment and both on-unit and centralized programming, education and spiritual services. This will provide patients and staff with treatments, services and tools needed for success.

The new design is inspired by the surrounding environment and natural forms consistent with local Indigenous traditions, providing ample access to natural light, green space and views to the horizon in all cardinal directions. It considers sustainability, gender inclusivity and cultural sensitivity, setting the stage for profound healing to take place within a safe space for patients and staff.

CONVERGING PRIORITIES INTO ONE

Blending all these priorities into a single facility isn't easy, but meeting treatment demands in today's evolving corrections landscape is necessary. Designers must consider a variety of stakeholder needs to deliver this new type of hybrid, treatment-focused facility that is trauma-responsive, normalizing, therapeutic, and safe for resident-patients and staff. It will require a complete rethinking of the provision of care within correctional facilities, creating a new typology not just as a required necessity but as a valued community asset.

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UNODC works with over 50 member states on prison and penal reform. www.unodc.org/unodc/en/justice-and-prison-reform/cpcj-prison-reform.html

RÉSUMÉ

A Treatment-First Approach to Prison Reform

JIM DODGE ET DAVE REDEMSKE

Jim Dodge (MAATO, GGP) – Justice Principal, HDR

Dave Redemske (CCHP, ACHA)

Senior Principal – Health Planning, HDR

La conception des prisons fait partie intégrante de la tendance croissante à une réforme des prisons visant une approche holistique de traitement, comprenant la gestion du traumatisme et les causes profondes du comportement criminel, qui offre un traitement individualisé aux personnes incarcérées. Les établissements moins restrictifs qui utilisent un modèle de supervision directe et comportent des salles de repos pour le personnel et les résidents ainsi que d'autres facteurs de conception font en sorte que les établissements pénitentiaires se sentent plus sécurisées et plus sûrs pour les résidents et le personnel. Des milieux sains favorisent la réadaptation, mais priorisant l'intégration après la libération à l'aide d'organismes et de traitements communautaires est également essentiel pour prévenir la récidive.

Inside the Walls: Situational Crime Prevention and its Theoretical Application to the Canadian Correctional System

MEGAN DAVIDSON

MRes Criminological Research, University of Liverpool, BA – Criminal Justice (Honours), Mount Royal University, FRSA
(Fellow of the Royal Society of the Arts)

The reactive narrative of necessity around Canada’s penitentiaries has remained much the same since the opening of our first official correctional facility, Kingston Penitentiary in 1835 (Correctional Services Canada [CSC], n.d.). However, there is a growing shift away from the punishment approach to corrections. Situational crime prevention space (SCP) considerations underly many current restorative models outside prisons, such as transformation of decimated urban spaces, the use of healing lodges, and changes to the way police intervene. Unfortunately, the conversation rarely extends to the architectural shift needed to create more rehabilitative environments ‘inside the walls’. It is time to change the narrative. The application of SCP to correctional facilities has yet to be fully explored, but growing evidence shows that a reduction in aggression and violence could be achieved through broader application of SCP, DS, and CPTED (Davidson, 2023).

Looking back in time—from Canada’s most recently approved penitentiary, the Leclerc Detention Facility scheduled to open in 2030 (Rowe, 2022), to the creation of Kingston Penitentiary in 1835—our prisons, jails and correctional facilities are rooted in a retributive exordium of corporal punishment and fear. The creation of healing lodges and rehabilitation-focused models is beginning to crack the associated ingrained punitive mindset. Many of these restorative models are rooted in situational crime prevention space (SCP).

For the sake of this article, SCP encapsulates defensible space (DS) and crime prevention through environmental design (CPTED). Despite being highly nuanced, it denotes the ability to adjust the carceral environment and incarcerated peoples’ psychological, social and emotional ties to the space. Target removal and place-based affect adjustment (Clarke, 1997) can reduce the hold criminality has within prisons. Such research suggests, often given by the term universities of crime, that crime is not as clear a choice as people think (see Centre for Crime

and Justice Studies, 2003). SCP, DS, and CPTED have been identified by various criminologists to aid in the successful reduction of violence and aggression in more classical applications of these concepts, such as schools, hospital dementia and psychiatric wards and parks/public spaces (Clarke, 1997; Hedayati Marzbali, 2016; Sohn, 2016; Vagi et al., 2018; Mohammadi Gorji et al., 2021)¹.

Not all current complaints of the correctional system, such as double-bunking and warehousing, lack of access to education and mental health services (see OCI/Zinger, 2022), can be corrected through a more intentional application of SCP, DS and CPTED. Yet, adapting physical environments with a focus on success of inmates and reduction of aggression, rather than punishment, could pave the way for future success in programming and peer interactions.

In more simple terms, the application of situational crime prevention (SCP), defensible space (DS) and crime prevention through environmental design (CPTED) in prisons involves the manipulation of the situational factors that make prison a violent space. Their application in schools, hospitals, and public spaces has been shown to reduce criminality and aggression (Clarke, 1997; Mohammadi Gorji et al., 2021; Vagi et al., 2018).

As Morris and Worral (2010) suggested, “environmental factors such as prison crowding, the ratio of security staff to inmates, prison gangs, sentence length, time to parole eligibility, custody status (i.e., security classification), and facility type each play a role in the relative harshness of the imprisonment experience for any given inmate” (p. 1087). Correctional environments are proven to reduce successful reintegration of offenders, (Ahalt et al., 2019; Brinkley-Rubinstein, 2013; Grant & Jewkes, 2015; Jewkes, 2018). Here the goal is to move Canada in a new direction, away from a retributive,

punishment-driven criminal justice system and its carceral system toward a ‘built’ restorative environment.

Davidson (2023) contends that lines of sight and visibility are linked to comfort and safety (2018). Even daylight, soft lighting, and good ventilation has been shown to reduce incidents of bullying and thus proven highly successful when applied to forensic psychiatric hospitals (see Francis et al. (2022) and Seppänen et al. (2018)). Building on this, applications of strategies on current prison milieus, such as territoriality and perceptions of social disorder, can bring positive associations and consciousness to carceral spaces (Bradshaw et al., 2015; Francis et al., 2022; Lamoreaux & Sulkowski, 2020). “The presence of dirty and deteriorating spaces tends to send a message that individuals do not value such spaces or feel a sense of ownership over them, which can then invite clandestine acts and misbehavior” (Lamoreaux & Sulkowski, 2020, p. 478). Post-build refurbishments to signage, maintenance, and programs to create community build murals were all noted to have positive effects.

The lack of SCP, DS, and CPTED research within corrections in North America is apparent (Davidson, 2023), with most research focusing on how target hardening increases the fortress mentality within facilities and makes them scary places (Ahalt et al., 2019; Brinkley-Rubinstein, 2013; Cozen & Sun, 2018; Grant & Jewkes, 2015; Jewkes, 2018). However, seeds of the growing popularity of Nordic prison approaches, which represent a shift away from retributive climates toward a restorative approach for North American correctional systems (Ahalt et al., 2019; Jewkes, 2018; Karthaus et al., 2019). This concept is not new, relating back to early discussions of how target removal and place-based affect adjustment (Clarke, 1997) can reduce the hold criminality has within prisons.

¹. Most people are aware of the term ‘universities of crime’ and it has been explored over the years by criminologists around the world. For example, Efe and Husseyin, 2022 (Istanbul); Centre for Crime and Criminal Justice (United Kingdom); McCuen, 1973, Damm, 2020, (USA);

CORRECTIONAL INVESTIGATOR OF CANADA, CITED IN MACLEAN'S (2021)

Our prison system is dangerous.

There were five murders in Canadian prisons last year [2002], making the homicide rate in our prisons 20 times higher than Toronto. In a year, correctional officers deployed force more than 2,000 times. More than 60 per cent of prison staff were subject to physical violence. The Correctional Investigator reports “there is no overall strategy that specifically and intentionally aims to prevent sexual violence in Canadian federal penitentiaries.”

Our prison system is racist.

There are more than 12,500 inmates in our federal system: Nearly one-third of them are Indigenous, eight per cent are black. Upwards of three-quarters of the prison population in Manitoba and Saskatchewan are Indigenous. Black and Indigenous inmates are both twice as likely to be subject to use of force, more likely to be classified for maximum security, more likely to be involuntarily put into solitary confinement, and less likely to be paroled. Our prison system is falling apart. Many prisons ought to be condemned and torn down. Four are more than a century old, and another two are nearly that old. The infrastructure is crumbling and the technology running the prisons is antiquated.

Our prison system is warehousing people struggling with their mental health.

It is estimated that at least 10 per cent of inmates meet the criteria for fetal alcohol syndrome, 80 per cent have substance abuse issues when incarcerated, while some 45 per cent have antisocial personality disorders.

Our prison system is eye-wateringly expensive.

Correctional Services Canada(CSC), with its \$2.6 billion budget, is the 15th largest department or agency by spending — it is larger than the CBC and Department of Justice combined. Ranked by the number of staff, it is the sixth largest department. It costs CSC \$110,000 per year to house each inmate, with about three-quarters of that number going to employee costs.

Our prison system isn't even working.

All available evidence shows that our prisons are doing little to reduce crime, and may even be increasing it. More than 40 per cent of all inmates released are returned to custody within two years, usually on parole violations. About a quarter of all those released from prison are convicted of a new offence within those two years, although most charges are non-violent.

-Maclean's (2021)

Norway has emerged a leader in this line of investigation. Its most prominent example, Prison Island, is a minimum-security prison built with a focus on "penal exceptionalism"; it is "designed like a small town, with a grocery store, library and cottages where four to six inmates will live and learn the skills they need to function in mainstream society once released" (Shammas, 2014). Although emphasizing the need for more research, Davidson (2023) applauds Norway's approach starting in the 1990's when the "recidivism rate was double that in the US", and "70% of [Norway's] released prisoners recommitted crimes within two years". Norway's subsequent overhaul of its prison system has given Norway "one of the lowest recidivism rates in the world and made it a model for the world to follow" (Denny, 2016).

The use of space to help or hinder rehabilitation remains largely debated. However, as Beijersbergen et al. (2016, p. 7) point out; "...Humans are malleable and adapt to almost any settings, the question should not be what sort of environment we want, but what sort of man [sic] we want." This leads us to the all-encompassing question: what sort of influence on incarcerated people do we want our correctional systems to have?

RÉSUMÉ

Situational Crime Prevention and its Theoretical Application to the Canadian Correctional System

MEGAN-DAVIDSON

MRes Criminological Research, University of Liverpool, BA – Criminal Justice (Honours)

Le récit réactif autour les pénitenciers au Canada demeure à peu près le même depuis l'ouverture de notre premier établissement correctionnel officiel, le Kingston Penn en 1835 (SCC, n.d), malgré l'écart croissant entre l'approche punitive et du système correctionnel lui-même. La prévention situationnelle du crime (PS) est au cœur de nombreux modèles actuels de réhabilitation, comme la transformation d'espaces urbains décimés, l'utilisation de pavillons de ressourcement, et des modifications à la façon dont la police intervient. Malheureusement, la conversation ne s'étend que rarement au changement de l'architecture nécessaire pour créer un environnement plus propice à la réadaptation carcérale. Il est temps de changer le récit et l'application du CPD aux établissements correctionnels peut aider; des données de plus en plus nombreuses montrent qu'une réduction de l'agression et de la violence pourrait être obtenue par une application plus large du SCP, du DS et du CPTED (Davidson, 2023).

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From Prevention to Reintegration: The Social and Economic Imperative of Closing Educational Gaps in Canada from a Criminological Standpoint

MARTIN SPIELAUER

BA Economics and Political Science, University of Ottawa (Class of 2027)

Most federal prisoners in Canada have no high school education, and only about one quarter of those who try to get one while serving their sentence succeed. Spending almost none of its budget on education, the Correctional Service of Canada offers little supervision or support to students, uses outdated materials, and provides the educators dealing with this high-need population minimal professional development or support. At the same time, funding gaps for Indigenous public schools, which cost more to operate due to remoteness, make it difficult to improve educational achievement in certain communities, which may contribute to Indigenous overrepresentation in the Canadian criminal justice system. Emphasizing that educational attainment is effective for crime prevention and offender reintegration, Martin Spielauer highlights the need for increased public awareness of this considerable and costly service gap in Canada's correctional institutions.

INTRODUCTION

In 2020, the Office of the Correctional Investigator reported that 54% of prisoners in Canada have less than a grade 10 education and that most federally sentenced men were unemployed at the time of their arrest (OCI, 2020). While research consistently shows higher levels of education playing a significant role in preventing crime and reducing recidivism, the continued lack of funding for education in Indigenous communities, the 30-50% drop-out rates in low-income communities across the country, and the numerous barriers to gaining educational opportunities in Canadian prisons not only perpetuate systemic inequalities, but represent a burden on our economy and a missed opportunity to tackle crime. Even as Canada lags other countries with respect to prison education, the mainstream political narrative has shifted towards implementing stricter sentences.

THE RESEARCH ON CRIME PREVENTION

A Swedish study published in 2015 established causality between years of schooling and the propensity for an individual to commit their first illegal act, estimating that that one additional year of schooling could decrease the likelihood of incarceration by as much as 15.5%, which confirmed previous American studies (Hjalmarsson et Al., 2015). In the same year, an evaluation of the Correctional Service of Canada's (CSC) education programs and services concluded that "Addressing offenders' educational needs decreases the rate of conditional release failure" (Head, 2015). From an economic angle, theory states that increasing human capital through education consistently increases the marginal returns from work and deters crime by creating opportunities for gainful employment, which in turn increases the opportunity cost associated with offending (Lochner, 2020) (i.e., there

is more to lose). Despite heavy evidence suggesting that closing educational gaps would substantially prevent crime in disadvantaged communities and decrease recidivism, these gaps persist.

THE CURRENT STATE OF EDUCATION BEFORE ADMISSION TO PRISON

People with low educational attainment are clearly over-represented in Canadian prisons; approximately 75% of offenders admitted to federal custody on their first sentence between 2008 and 2013 self-reported not having a high school diploma or equivalent, as opposed to 20% in the mainstream population (Correctional Service Canada, 2015). At the same time, dropout rates in low-income communities across Canada are between 30-50% (UNIFOR, 2024), one of many challenges that often translate into a higher crime rate, and should therefore provide an incentive to lower dropout rates.

One of the most cited and yet alarming Canadian criminal justice statistics is the fact that roughly 32% of all incarcerated people in Canada are of Indigenous descent, despite making up merely 5% of the population (PSC, 2023). According to the Assembly of First Nations, roughly 44% percent of First Nations do not hold any certificate, diploma, or degree, compared to 23% of the non-Indigenous population (AFN, n.d.). It's important to keep in mind that the Truth and Reconciliation Commission's 8th Call to Action demanded the elimination of this discrepancy (TRC, 2015). While the Federal government reached equal funding (parity) in 2016, this has still meant about 30% less funding for First Nations students when costs related to remote location deliverables are accounted for (Porter, 2016). Years later, funding has improved, but unique gaps persist due to fragmented funding schemes, considerations regarding the provision of services in remote communities, and the need to catch up after decades of underfunding (Humphreys et Al., 2020).

In 2023, administrators at a Thunder Bay Indigenous school reported that the existing project-based funding scheme from various levels of government and non-profit organizations is insufficient after decades of underfunding, creating uncertainty and high turnover rates for staff, and forcing schools

to raise money on their own (Cimellaro, 2023). As these findings show, equal funding in the present day is not building equity for at-risk Indigenous youth. Following social disorganization theory, a lack of a stable education system in a community is detrimental to preventing crime (Gehring, 2018). Ensuring that Indigenous populations have access to adequate and stable educational infrastructure may thus be a component in fighting the trend of indigenous overrepresentation in prisons.

THE RESEARCH ON RECIDIVISM

Recidivism is consistently shown to decrease when inmates achieve higher levels of education. A recent review of 750 studies completed between 1980 and 2022 found that participation in any form of educational program could lead to a decrease in the likelihood of recidivism by as much as 15% (Sprick & Stickle, 2022). Unemployment is considered a criminogenic factor (John Howard Society of Ontario, 2009), and whereas 54% of prisoners in this country have not graduated from high school (OCI, 2020)—let alone completed additional education—reintegration in an economy where Canadians without a high school education are more likely to experience unemployment becomes a sizable challenge. In addition, gauging recidivism has also been a challenge; in the Correctional Investigator's 2018 Report, emphasis was put on the fact that Canada has no nationally maintained public recidivism reporting formula for violent/non-violent offences.

However, the fact that with adequate educational programs, for every 1000 inmates who are released, around 150 fewer would return to prison—instead, being successfully integrated into the job market and their community—suggests that ensuring prisoners have access to a proper education is paramount.

THE CURRENT STATE OF PRISON EDUCATION IN CANADA

In 2018, the Correctional Investigator of Canada, Ivan Zinger, quoted Victor Hugo: ("He who opens a school door, closes a prison") while lamenting wait lists so long that some inmates complete their sentence before getting a spot in a classroom, and reporting on CSC's failure to broaden accessibility by implementing online learning in prisons (OCI,

2018). The Office of the Correctional Investigator's 2020 Annual Report subsequently found many educational shortcomings in Canadian prisons and concluded that current policies focus too narrowly on high school education, while post-secondary options remain largely unsupported, making the current programming unfit for today's economy due to the competitive nature of the job market (OCI, 2020). While CORCAN programming was found to develop marketable skills among inmates, limited capacity has meant long waitlists and only 6.3% of offenders accessing these opportunities. Moreover, "little is done to accommodate those with learning disabilities", despite them making up a sizable proportion of the prison population.

The Correctional Service of Canada (CSC) invested 1% of its prison budget on prison education in 2015. CSC's total cost per incarcerated person in 2015 was at least \$120,000 year, with under \$3000 per student spent on education compared to over \$10,000 spent in public education—Canada's Auditor General reported in 2018 that only one-quarter completed their high school diploma prior to release. (John Howard, 2018).

This situation is exacerbated by a lack of access to online courses in an age where remote learning has moved from paper correspondence to the internet—now making the remote learning available to any other Canadian next to impossible for incarcerated people.

Canada's approach is currently very restrictive, rarely allowing any form of internet access (John Howard Society of Canada, 2020). This prompted a lawsuit launched on behalf of the John Howard Society in July 2024, arguing that such heavy restrictions on the internet are unconstitutional by violating the fundamental right to freedom of expression, which includes the right to receive information (Kennedy, 2024). While security concerns are often cited to justify these restrictions, countries such as the United States and Norway permit varying degrees of internet access through internal systems that are heavily regulated (Kerr, 2024). Overall, the evidence points to education in Canadian prisons trailing behind those in other countries, though effective investments and measures to remove barriers to education could go a long way.

CONCLUSION

The lack of educational opportunities within Canadian prisons and the populations overrepresented in the criminal justice system not only perpetuates systemic inequalities, but also imposes significant economic costs. By failing to equip inmates with essential skills, Canada misses a crucial chance to reduce recidivism, enhance public safety, and increase its active workforce. Instead, increased recidivism furthers the cost of crime from a social and economic perspective.

Canada's drop out rates in lower income areas of Canada can reach 50%, some 75% of federal prisoners report having no high school diploma, yet relatively few receive the education they need while in prison/jail.

Findings concurrently suggest that more public funding and support are needed to properly operate schools in Indigenous communities that have comparatively low educational attainment. This might be crucial in fighting not only the overrepresentation of Indigenous people in the criminal justice system but also low-income Canadians in general.

As Canada braces for reported skilled trades shortages (McDowell, 2024), it's hard to justify spending more public money on extending prison sentences and establishing mandatory minimum penalties when investments in meaningful educational opportunities in prisons/jails, low-income communities, and disadvantaged Indigenous communities could replenish our active workforce and prevent overincarceration by changing lives through evidence-based rehabilitation.

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RÉSUMÉ

From Prevention to Reintegration: The Social and Economic Imperative of Closing Educational Gaps in Canada's from a Criminological Standpoint

MARTIN SPIELAUER

BA Economics and Political Science, University of Ottawa (cohorte de 2027)

La plupart des prisonniers fédéraux au Canada sont peu scolarisées, mais seulement environ 25%, de ceux qui essayent obtiennent un diplôme en prison. En 2015, le Service correctionnel du Canada a dépensé presque rien (comparativement aux dépenses publiques en éducation par élève) pour l'éducation (soit 1 % du budget) en ne fournissant que peu d'encadrement ou d'assistance aux élèves, en utilisant des documents obsolètes et en fournissant un soutien et un perfectionnement professionnel minimum aux éducateurs qui s'occupent de cette population vulnérable. En même temps, le manque de financement gouvernemental des écoles publiques autochtones, qui exigent plus d'argent en raison de leur situation unique, complique l'amélioration de l'instruction dans certaines communautés, ce qui contribue également à la surreprésentation des peuples Autochtones dans le système de justice pénale canadien. Martin Spielauer souligne l'importance de sensibiliser le public sur ce déficit considérable et coûteux de services dans les établissements correctionnels canadiens, tout en soulignant l'importance de l'éducation pour prévenir le crime et réintégrer les délinquants.

Overview of the Need for Special (Drug) Courts in India

PROF. DR. PURVI POKHARIYAL¹

Professor & Dean, School of Law, Forensic Justice & Policy Studies (SLFJPS), National Forensic Sciences University (NFSU), Gandhinagar, Gujarat, India.
purvi.pokhriyal@nfsu.ac.in

MR. AKHILENDRA SINGH

Assistant Professor, SLFJPS, NFSU,
Gandhinagar, Gujarat, India.
akhilendra.singh@nfsu.ac.in

MS. MRADUL SINGH

Lecturer, SLFJPS, NFSU,
Delhi, India.
mradul.singh@nfsu.ac.in

The Supreme Court of India has recognized drug addiction as a crime representing social ill that erodes the economy, thus also posing a risk to public safety. Drug trafficking is a global phenomenon that has reached epidemic proportions. It not only affects India's economy but is corrupting the system and fostering a sick society and harmful culture. Drug courts in the USA, Australia, and Canada, among others, handle traffickers with punitive sanctions but take a more lenient, rehabilitative approach to drug abusers. In India, however, both groups are treated the same, as the law does not have any strict rehabilitative provisions for victims caught up in the criminal justice system by virtue of drug addiction. Pokhriyal, Singh, and Singh explore India's need for a Special (Drug Treatment) Court.

INTRODUCTION

Drug abuse is a form of victimless crime and receives limited media, court, and legislative attention in India. As per the National Survey on the Extent and Pattern of Substance Use in India by the Ministry of Social Justice & Empowerment, approx. 20% of India's population currently uses various drugs, including alcohol, cannabis, and opioids (Ambekar et al., 2019). Aside from obvious addiction and mental health issues, the stigma of drug offences poses significant harm in the form of loss of livelihood, educational opportunities and much more for young people. In a landmark decision (State of Punjab v. Baldev Singh, 1999), the Supreme Court recognized drug addiction not only as a crime but also as a social illness that is eroding India's economic system.

The illegal money generated by the supply and management of drug-related businesses is used for many illicit activities that destroy the economy through terrorism, Naxalism, internal conflict, and other. This results in increasing the divide between the haves and the have-nots. The Supreme Court further acknowledged that "drug trafficking... is a global phenomenon and has acquired the dimension of an epidemic affecting the economic policies of the State, [which] corrupts the system and is detrimental to the future of the country. It has the effect of producing a sick society and a harmful culture. Anti-drug justice is [thus] a criminal dimension of social justice" (State of Punjab v. Baldev Singh, 1999). According to the National Drug Dependence Treatment Centre (NDDTC), All India Institute of

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Medical Sciences in New Delhi, approximately 14.6% of the population uses alcohol, making it “the most commonly used legal psychoactive substance” in India, which has a population of about 1.4 billion. Other drugs are used at the following rates (in millions): Cannabis = 86; Opioid = 12.5; Amphetamine-type stimulants = 1.9 (LGBRIMH, 2019).

Overall, there are two distinct groups of drug users/abusers in India. The first comprises people who contribute to the organized drug business, and the second is the end client –victims of drug misuse whose criminality is a result or consequence of their addiction. Drug courts established in the USA, Australia, and Canada, among those in other nations, have two different approaches to drug crimes; the first group of perpetrators is handled with punitive sanctions, whereas the second group (i.e., victims of drug abuse) is handled with a more restorative and social-justice approach focused on rehabilitation (Refshauge, 2022).

As international evidence suggests, drug treatment courts have reduced crime by as much as 35 percent and are more cost-effective than traditional court processes (Drug Treatment Courts, 2022), but the Indian Criminal Justice System puts drug traffickers and users/abusers on the same pedestal and has no special rehabilitative provisions for victims of drug use. While India has been making potential progress through policy measures incorporating rehabilitative measures for addicts (i.e., victims of drug abuse), there is a long road ahead where criminal justice is concerned. Given such a framework and context, this article examines the need for drug treatment courts in India involving a specialized system of ruling on and distinguishing between drug abusers, drug users and drug traffickers.

DRUG ABUSE IN INDIA AND RELATED LAWS

Three central laws (i.e., Drugs and Cosmetics Act 1940 ('DC Act 1940'), Narcotics Drugs and Psychotropic Substances Act 1985 ('NDPS Act 1985'), and Prevention of Illicit Traffic in Narcotics Drugs and Psychotropic Substances Act 1988 ('PITNDPS Act 1988')) encompass the legislative action against

drug crimes (NDPS, 1985). The central government controls and limits the use, sale, and purchase of drugs by imposing drug sanctions. Various Central and State Government organizations work with non-governmental organizations to achieve this. The regulator of these Acts is the Department of Revenue under India's Ministry of Finance.

The NDPS Act (s 36) provides for Special Courts to ensure speedy trials for cases related to drugs and narcotic substances, but these courts are not mandatory. Vague language, such as “may,” in the provision, has led to a non-uniform establishment of NDPS specialized courts in different states. According to the National Crime Records Bureau of India (NCRB, 2021), 74,987 cases have been tried under the NDPS Act, but there have only been convictions in 7,367 cases. Additionally, the Act's section 37 provides a stringent rule of law concerning the granting of bail wherein the court [before the end of the trial] must be satisfied the accused is not guilty and will not recidivate if on bail (NDPS, 1985). This double-edged provision is discriminatory.

The Supreme Court in *Mohd Muslim @ Hussain v. State* (2023) recently stated that “the literal interpretation of the conditions under section 37 would effectively exclude the grant of bail altogether, resulting in punitive detention and unsanctioned preventive detention as well.” This decision acknowledges that the plight of prisoners facing trial under the NDPS Act 1985 can only be bettered through specialized courts. This means specialized courts in all jurisdictions and an associated humanistic approach through the trial process (Kathane et al., 2022).

The Need for Special (Drug) Courts in India
While Section 71 of the Narcotics Drugs and Psychotropic Substances Act (NDPS, 1985) empowers the government to “establish, recognize, or approve centres for identification, treatment, management, education, after-care, rehabilitation, social re-integration of addicts, etc., various human rights advocates criticize the NDPS Act for its counterintuitive focus on incarceration (TISS, 2017). The need for Special (Drug) Courts involves shifting

the focus to sobering the population and ensuring individual accountability (Menon, 2021) within a framework of social justice. The Directive Principles of State Policy in India's Constitution (are to act against narcotics activities, raise the living standard, and ensure public health. Rather than incarcerating our young population in prisons, India should focus on bringing them back into the mainstream by ensuring sobriety through treatment services integrated into our existing justice system.

CONCLUSION

Drug use and abuse is a concern in India. We face a shortage of specialized courts under the NDPS Act, extremely punitive drug-related laws, and a subjective approach to handling victims of drug misuse, yet effective rehabilitation measures are what is needed for many victims of drug misuse who commit crimes.

There is an urgent need to formalize and establish a concrete Drug Treatment Court System in India as other nations, including the USA, Australia, and Canada, are doing. This would help India address the challenges posed by drug trafficking, usage and abuse more effectively and develop strategies for overcoming the drug problem using both social and legal means. Conducting a thorough survey of the number and type of specialized courts already established in India, the number of victims, how rehabilitation is being handled and effective identification of drug traffickers is imperative.

Special (Drug) Courts prioritize rehabilitation by integrating treatment services with the justice system and supporting offenders struggling with addiction. This approach could help break the substance abuse cycle and thus reduce future criminal activity in India. Additionally, Special (Drug) Courts would relieve the burden on the criminal justice system by diverting low-level, non-violent drug offenders into specialized treatment programs, which will help save resources and overcome the burden of prisoners in prisons in India.

Additionally, India must, along with developing a robust Drug Court system, collaborate with stakeholders such as the community, non-governmental organizations, help groups, and treatment providers to ensure a coordinated

response to drug abuse. By bridging gaps in India's existing drug laws, Special (Drug) Courts can provide a targeted approach to addressing substance abuse issues. In summary, Special (Drug) Courts in India would ideally prioritize rehabilitation, ease the burden on the justice system, offer specialized expertise, promote collaboration, and address legal gaps. The establishment of Special (Drug) Courts in India has the potential to effectively tackle drug abuse and contribute to the well-being of individuals and communities while helping the economic system.

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RÉSUMÉ

Overview of the Need for Special (Drug) Courts in India

PROF. DR. PURVI POKHARIYAL, MR. AKHILENDRA SINGH, ET MS. MRADUL SINGH

La Cour suprême de l'Inde reconnaît la toxicomanie comme un crime représentant un mal social qui érode l'économie par le terrorisme, le naxalisme (c.-à-d. révolte paysanne basée sur le communisme), le conflit interne, parmi d'autre. Le trafic de drogue est un phénomène mondial de proportion épique, non seulement nuisant l'économie de l'Inde mais aussi l'avenir de la nation en favorisant une société malade et une culture nocive. Les tribunaux de la drogue aux États Unis, en Australie et au Canada, par exemple, traitent les trafiquants avec des sanctions punitives, mais plus clémentes axée sur la réadaptation des toxicomanes. Ils explorent le besoin de l'Inde d'un tribunal spécial (traitement de la toxicomanie).

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